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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

KFD ENTERPRISES, INC., a California
corporation dba Norman's Dry Cleaner,

Plaintiff,

v.

CITY OF EUREKA, et al.,

Defendants,

AND ALL RELATED CROSS-CLAIMS
AND THIRD-PARTY CLAIMS.

No. 3:08-cv-04571-MMC

**STIPULATION AND ~~PROPOSED~~ ORDER
REGARDING DEFENDANT FIRBIMATIC
SpA'S RESPONSE TO PLAINTIFF KFD
ENTERPRISES, INC.'S SECOND AND
THIRD AMENDED COMPLAINTS
[Civil L.R. 7-12]**

Pursuant to Civil L.R. 7-12, Plaintiff KFD Enterprises, Inc. ("KFD") and Defendant Firbimatic SpA ("Firbimatic") hereby stipulate and request judicial action as follows:

WHEREAS, KFD served its Second Amended Complaint (Doc. 122, filed Oct. 6, 2009) on Firbimatic on or about February 4, 2010;

WHEREAS, KFD subsequently sought this Court's leave to file a Third Amended Complaint that would add a new claim against Firbimatic (Doc. 180, filed Feb. 12, 2010); and

WHEREAS, in the interest of efficiency and judicial economy, KFD and Firbimatic desire to minimize the number of filings in this matter,

THEREFORE, KFD and Firbimatic stipulate that

(1) If the Court grants KFD's pending motion for leave to file a Third Amended Complaint, Firbimatic shall have thirty-five (35) days to respond to such complaint after it is filed;

(2) If the Court denies KFD's pending motion for leave, Firbimatic shall have thirty-five (35) days after such denial to respond to KFD's Second Amended Complaint; and

(3) Firbimatic shall serve its initial disclosures pursuant to Federal Rule 26(a)(1) at the same time as it files its response to KFD's outstanding complaint as set forth above.

Dated: April 12, 2010.

Respectfully submitted,

/s/ Eric Grant
Eric Grant
Paula Whitten
Hicks Thomas LLP

Counsel for Defendant FIRBIMATIC SpA

(The filer hereby attests that concurrence in the filing of this document has been obtained from the signatory below.)


GREBEN & ASSOCIATES

/s/ Jan A. Greben
Jan A. Greben
Danielle De Smeth

Attorneys for Plaintiff KFD Enterprises, Inc.,
a California corporation, dba Norman's Dry
Cleaner

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: April 13, 2010.


MAXINE M. CHESNEY
United States District Judge